

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 03-1058**

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JOHN A. GRIFFITHS,

Plaintiff - Appellant,

versus

UNITED STATES OF AMERICA,

Defendant - Appellee.

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Appeal from the United States District Court for the Eastern District of Virginia, at Newport News. Raymond A. Jackson, District Judge. (CA-02-27-4)

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Submitted: July 31, 2003

Decided: August 25, 2003

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Before MICHAEL and GREGORY, Circuit Judges, and HAMILTON, Senior Circuit Judge.

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Affirmed by unpublished per curiam opinion.

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John A. Griffiths, Appellant Pro Se. Lawrence Richard Leonard, Assistant United States Attorney, Norfolk, Virginia, for Appellee.

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Unpublished opinions are not binding precedent in this circuit. See Local Rule 36(c).

PER CURIAM:

John A. Griffiths appeals the district court's order accepting the recommendation of the magistrate judge to dismiss his complaint for lack of subject matter jurisdiction due to his failure to exhaust administrative appeal remedies. We have reviewed the record and find no reversible error. Accordingly, we affirm on the reasoning of the district court. See Griffiths v. United States, No. CA-02-27-4 (E.D. Va. Jul. 23, 2002). We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

AFFIRMED